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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,211	03/26/2004	Paul Thomas Huckabee	TH 2037	1956
23632	7590	10/11/2006	EXAMINER DANG, HOANG C	
SHELL OIL COMPANY P O BOX 2463 HOUSTON, TX 772522463			ART UNIT 3672	PAPER NUMBER

DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/811,211	Applicant(s) HUCKABEE ET AL.	
	Examiner Hoang Dang	Art Unit 3672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 23-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 and 23-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/19/2006</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 17-21 and 23-27 are objected to because of the following informalities: The expression "the valve" in claim 17, lines 7 and 9 has no antecedent basis. Claim 23 depends on cancelled claim 22. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1, 2, 6, 7, 9, 10, 14, 15, 17, 19, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brockman (6,505,682) in view of Richards (US 2004/0134655).

Brockman discloses the invention as claimed except that valves 34 are located at the upper and lower ends of the annular space 32. However, one of ordinary skill in the art would have readily recognized that valves 34 can be located anywhere along the annular space 32 and would still control the flow of fluids from the exterior of the screen to the interior of the central passageway of the tubing 40 in the same manner, as evidenced by Richards (see valves 92 and 212 for examples).

4. Claims 3-5, 11-13 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brockman (US 6,505,682) in view of Richards as applied to claims 1, 2, 6, 7, 9, 10, 14, 15, 17, 19, 21 and 23 above and further in view of Danos et al (US 6,752,207).

Brockman discloses the invention as claimed except that Brockman does not disclose the use of optical fiber, hydraulic cable or pneumatic cable. However, it would have been obvious to

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one of ordinary skill in the art at the time the invention was made to use either electrical cable, optical fiber, hydraulic cable or pneumatic cable in Brockman because it is well known in the art to use an electrical cable, optical fiber, hydraulic cable or pneumatic cable to transmit downhole signals as evidenced by Danos et al (see column 4, lines 6-8).

5. Claims 7, 15, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brockman '682 in view of Richards as applied to claims 1, 2, 6, 7, 9, 10, 14, 15, 17, 19, 21 and 23 above and further in view of Echols et al (US 6,782,948).

Brockman discloses the invention as claimed except for the use of wireless communication. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use wireless communication in Brockman as claimed because it is well known in the art to use either hard wire arrangement or wireless communication to operate a valve as evidenced by Echols et al (column 6, lines 44-47).

6. Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brockman '682 in view of Richards as applied to claims 1, 2, 6, 7, 9, 10, 14, 15, 17, 19, 21 and 23 above and further in view of Coon (US 5,896,928) or Tubel et al (US 6,176,312).

Brockman discloses the invention as claimed except that Brockman does not disclose the use of a data recorder. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Brockman with a data recorder because it is well known in the art to use a downhole recorder to record downhole information for later use as evidenced by Coon (column 5, lines 16-24) or Tubel et al (column 15, lines 26-34).

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7. Claims 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brockman '682 in view of Richards as applied to claims 1, 2, 6, 7, 9, 10, 14, 15, 17, 19, 21 and 23 above and further in view of Voll et al (US 6,112,817).

Brockman discloses the invention as claimed except for the use of differential pressure sensor or temperature sensor. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Brockman with differential pressure sensor or temperature sensor as claimed because it is well known in the art to use differential pressure and temperature sensors as claimed in order to optimize the production of the formation fluids as evidenced by Voll et al (column 6, lines 33-41).

8. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brockman '682 in view of Richards as applied to claims 1, 2, 6, 7, 9, 10, 14, 15, 17, 19, 21 and 23 above and further in view of Vinegar et al (US 6,679,332).

Brockman '682 discloses the invention as claimed except for the use of a time varying signal to communicate with the valve from the sensor. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a time varying signal as claimed because such a time varying signal is well known and used in the art for downhole communication purposes as evidenced by Vinegar et al (see column 15, lines 3-9).

Response to Arguments

9. Applicant's arguments with respect to claims 1-21 and 23-27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

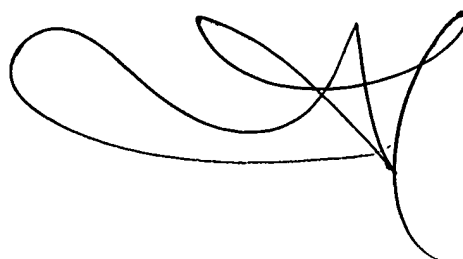
10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang Dang whose telephone number is 571-272-7028. The examiner can normally be reached on 9:15-5:45 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hoang Dang
Primary Examiner
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A handwritten signature in black ink, consisting of a large, stylized loop followed by a series of smaller, overlapping loops and a final vertical stroke.